

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Tamara R. Ulmes,

Case No. 3:24-cv-1679

Plaintiff,

v.

ORDER

Matheson Tri-Gas, Inc., et al.,

Defendants.

On October 28, 2024, Defendant Matheson Tri-Gas, Inc. filed a Rule 12(b) motion to dismiss. (Doc. No. 6). Plaintiff filed a response to this motion on November 14, 2024, and included within this response a motion to amend the Complaint. (Doc. No. 8).

Federal Rule of Civil Procedure 15 provides that “[a] party may amend its pleading once as a matter of course no later than ... 21 days after service of a motion under Rule 12(b), (e), or (f).” Fed. R. Civ. P. 15(a)(1)(B).

Pursuant to this Rule, Plaintiff could have filed her First Amended Complaint on November 14, 2024, rather than filing her response and motion to amend on this date. Despite her failure to do so, I find it most efficient for all to grant her motion to amend the Complaint without further analysis or superfluous motion practice. (Doc. No. 8). Plaintiff shall file her First Amended Complaint no later than December 4, 2024. (Doc. No. 8). In light of the anticipated First Amended Complaint, I deny Defendant’s pending motion to dismiss without prejudice. (Doc. No. 6).

So Ordered.

s/ Jeffrey J. Helmick  
United States District Judge